

lows: “The provisions of sections 1301, 1302, 1303, and 1304 shall not apply to an advertisement, list of prizes, or information concerning a lottery conducted by a State acting under the authority of State law—

“(1) contained in a newspaper published in that State or in an adjacent State which conducts such a lottery, or

“(2) broadcast by a radio or television station licensed to a location in that State or an adjacent State which conducts such a lottery.”

Subsec. (d). Pub. L. 100-625, §§2(b), 3(a)(3), inserted “subsection (b) of” after “purposes of” and inserted at end “For purposes of this section, the term a ‘not-for-profit organization’ means any organization that would qualify as tax exempt under section 501 of the Internal Revenue Code of 1986.”

1979—Subsec. (b). Pub. L. 96-90, §1(a), incorporated existing provision in text designated cl. (1), included mailing of equipment, and added cl. (2).

Subsec. (c). Pub. L. 96-90, §1(b), designated existing text as cl. (1) and added cl. (2).

1976—Subsec. (a)(1). Pub. L. 94-525 inserted “or in an adjacent State which conducts such a lottery” after “State”.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-625 effective 18 months after Nov. 7, 1988, see section 5 of Pub. L. 100-625, set out as a note under section 1304 of this title.

#### SEVERABILITY

Pub. L. 100-625, §4, Nov. 7, 1988, 102 Stat. 3206, provided that: “If any provision of this Act or the amendments made by this Act [amending sections 1304 and 1307 of this title and section 3005 of Title 39, Postal Service, and enacting provisions set out as notes under sections 1301 and 1304 of this title], or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act and the amendments made by this Act, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.”

### § 1308. Limitation of applicability

(a) LIMITATION OF APPLICABILITY.—Sections 1301, 1302, 1303, 1304, and 1306 shall not apply—

(1) to a savings promotion raffle conducted by an insured depository institution or an insured credit union; or

(2) to any activity conducted in connection with any such savings promotion raffle, including, without limitation, to the—

(A) transmission of any advertisement, list of prizes, or other information concerning the savings promotion raffle;

(B) offering, facilitation, and acceptance of deposits, withdrawals, or other transactions in connection with the savings promotion raffle;

(C) transmission of any information relating to the savings promotion raffle, including account balance and transaction information; and

(D) deposit or transmission of prizes awarded in the savings promotion raffle as well as notification or publication thereof.

(b) DEFINITIONS.—In this section—

(1) the term “insured credit union” shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(2) the term “insured depository institution” shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(3) the term “savings promotion raffle” means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).

(Added Pub. L. 113-251, §4(a), Dec. 18, 2014, 128 Stat. 2890.)

## CHAPTER 63—MAIL FRAUD AND OTHER FRAUD OFFENSES

#### Sec.

1341.	Frauds and swindles.
1342.	Fictitious name or address.
1343.	Fraud by wire, radio, or television.
1344.	Bank fraud.
1345.	Injunctions against fraud.
1346.	Definition of “scheme or artifice to defraud”.
1347.	Health care fraud.
1348.	Securities and commodities fraud.
1349.	Attempt and conspiracy.
1350.	Failure of corporate officers to certify financial reports.
1351.	Fraud in foreign labor contracting.

#### AMENDMENTS

2009—Pub. L. 111-21, §2(e)(2), May 20, 2009, 123 Stat. 1618, inserted “and commodities” after “Securities” in item 1348.

2008—Pub. L. 110-457, title II, §222(e)(1), (3), Dec. 23, 2008, 122 Stat. 5070, 5071, inserted “AND OTHER FRAUD OFFENSES” after “MAIL FRAUD” in chapter heading and added item 1351.

2002—Pub. L. 107-204, title VIII, §807(b), title IX, §902(b), 906(b), July 30, 2002, 116 Stat. 804-806, added items 1348 to 1350.

1996—Pub. L. 104-191, title II, §242(a)(2), Aug. 21, 1996, 110 Stat. 2016, added item 1347.

1990—Pub. L. 101-647, title XXXV, §3541, Nov. 29, 1990, 104 Stat. 4925, substituted “or” for “and” in item 1342.

1988—Pub. L. 100-690, title VII, §7603(b), Nov. 18, 1988, 102 Stat. 4508, added item 1346.

1984—Pub. L. 98-473, title II, §§1108(b), 1205(b), Oct. 12, 1984, 98 Stat. 2147, 2153, added items 1344 and 1345.

1952—Act July 16, 1952, ch. 879, §18(b), 66 Stat. 722, added item 1343.

### § 1341. Frauds and swindles

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or